



PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
0201UR

First named inventor: McGuire, Larry L.

Application No.: 10/058,203

Art Unit: 3618

Filed: 1/29/2002

Examiner: Draper, Deanna L.

Title: Automatically Adjustable Rear Suspension for Trike

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ 640 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

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2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____

OFFICE OF PETITIONS
(identify type of petitions)

has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____.

has been paid previously on _____
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

Request to Rescind Previous Nonpublication Request

4. STATEMENT: The entire delay in filing the required ~~copy~~ from the due date for the required ~~copy~~ until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Date



Signature

Telephone
Number: 386 248-0156Larry L. McGuire

Typed or printed name

1381 Costa del Sol

Address

Port Orange, FL 32129**RECEIVED****OCT 29 2002****OFFICE OF PETITIONS**Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Request to Rescind Previous Nonpublication Request

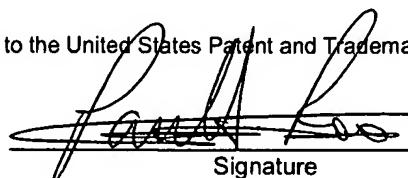
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

10/22/2002

Date



Signature

Paul S. Rooy Reg. No. 35,338

Type or printed name of person signing certificate


PAUL S. ROOY, P.A.
REGISTERED PATENT ATTORNEY
J.D. ★ M.I.M. ★ B.S.M.E.
A.T.P. ★ C.F.M.E.I.I.

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

DAC #
435 South Ridgewood Ave., Ste. 200
Daytona Beach, Florida 32114
e-mail: PatentAttorney@worldnet.att.net
Telephone (386) 258-5008
In Orlando (407) 648-2299
Fax (386) 788-7678

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OFFICE OF PETITIONS

October 22, 2002

Re: 0201UR Automatically Adjustable Rear Suspension for Trike Utility Patent Application;
Serl. No. 10/058,203.

Of Our Mutual Concern:

Enclosed please find:

Petition for Revival of Application for Patent Abandoned Unintentionally Under 37 C.F.R.
1.137(b)

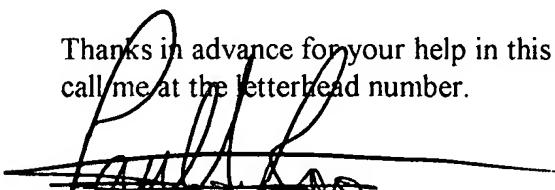
Request to Rescind Previous Nonpublication Request
\$640 check to "Commissioner of Patents & Trademarks"

The subject U.S. Utility Patent Application Serl. 10/058,203 was filed 1/29/2002, and no Office Action has been received by Applicant pursuant thereto. A Nonpublication Request was filed simultaneously.

On 7/12/2002 a Canadian patent application was filed which claimed priority of the subject U.S. patent application. A Request to Rescind Previous Nonpublication Request was unintentionally not filed for the subject U.S. patent application within 45 days of the Canadian application filing date, at which time the subject U.S. patent application presumably became abandoned.

Accordingly, enclosed please find the required Request to Rescind Previous Nonpublication Request, and a Petition for Revival of Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) with fee. Please revive the subject application, and ensure the enclosed Request to Rescind Previous Nonpublication Request is acted on appropriately within the Office.

Thanks in advance for your help in this matter. In case of any questions, please do not hesitate to call me at the letterhead number.


Paul S. Rooy

Encls.



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**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number	10/058,203
Filing Date	1/29/2002
First Named Inventor	McGuire, Larry L.
Title	Automatically Adjustable Rear Suspension for Trike
Atty Docket Number	0201UR
Group Art Unit	3618
Examiner	Draper, Deanna L.

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

10/22/02

Date

Signature

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Larry L. McGuire

OCT 29 2002

Typed or printed name

OFFICE OF PETITIONS

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is not filed within forty-five days (45) days after the date of filing of the foreign or international application.

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type) Paul S. Rooy Reg. No. 35,338

Signature

Date

10/22/2002

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.